

BAKER BOTTS LLP

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing OR Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	35040-PCT-USA-066340.0143
First Named Inventor	Burguete et al.
COMPLETE IF KNOWN	
Application Number	10/069,653
Filing Date	February 26, 2002
Group Art Unit	NOT YET ASSIGNED
Examiner Name	NOT YET ASSIGNED

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LUTE

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)

02/26/2002

as United States Application Number or PCT International

Application Number

10/069,653

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.58, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			YES	NO
199 40 486.0	GERMAN	08/26/1998	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

[Page 1 of 3]

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DECLARATION — Utility or Design Patent Application

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

(complete this part only if this is a divisional, continuation or C-I-P application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior applications(s) and the national or PCT international filing date of this application:

BAKER BOTTS LLP**DECLARATION — Utility or D sign Patent Application**

Direct all correspondence to: Customer Number or Bar Code Label **21003** OR Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR : A petition has been filed for this unsigned inventor

ANDREBURGUETEGiven Name
(first and middle [if any])Family Name
or SurnameInventor's
Signature*André Burguete**30.6.2002*

Date

DRESDEN D EX

Residence: City

State

GERMANY

Country

GERMANY

Citizenship

Thomas-Munzner-Platz 4

Mailing Address

Dresden

01307

Germany

City

ZIP

Country

NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventorBENNOSTREU
Family Name
or SurnameGiven Name
(first and middle [if any])Inventor's
Signature

Date

Turnseestrasse 1

GERMANY

GERMANY

Residence: City

State

Country

Citizenship

Mailing Address

Freiburg im Breisgau

79102

Germany

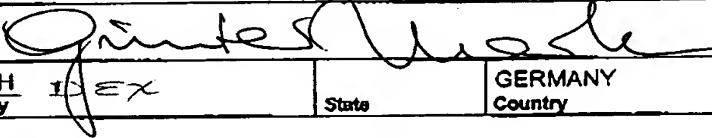
City

ZIP

Country

Additional Inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

BAKER BOTTS t.l.p.Please type a plus sign (+) inside this box → **DECLARATION**
ADDITIONAL INVENTOR(S)
 Supplemental Sheet
 Page ____ of ____

Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
GUNTER		MARK		
Inventor's Signature			28.06.2002 Date	
BAD RODACH Residence: City	State	GERMANY Country	GERMANY Citizenship	
Mailing Address				
Elsa 47 Mailing Address				
Bad Rodach City	State	98476 ZIP	Germany Country	
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature				Date
Residence: City	State	Country	Citizenship	
Mailing Address				
Mailing Address				
City	State	ZIP	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature				Date
Residence: City	State	Country	Citizenship	
Mailing Address				
Mailing Address				
City	State	ZIP	Country	

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NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor

ANDRE

BURGUETE

Given Name
(first and middle [if any])Family Name
or SurnameInventor's
Signature

Date

DRESDEN

GERMANY

Residence: City

State

GERMANY

Citizenship

Thomas-Munizer-Platz 4
Mailing Address

Dresden
City01307
ZIPGermany
Country**NAME OF SECOND INVENTOR:** A petition has been filed for this unsigned inventor

BENNO

STREU

Given Name
(first and middle [if any])Family Name
or SurnameInventor's
SignatureJune 28, 2002
DateTurnseestrasse 1
Residence: CityGERMANY
CountryGERMANY
Citizenship**Mailing Address**Freiburg im Breisgau **Dex**
City

State

79102
ZIPGermany
Country

Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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Please type a plus sign (+) inside this box


**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	10/069,653
Filing Date	February 26, 2002
First Named Inventor	Burguete et al.
Group Art Unit	NOT YET ASSIGNED
Examiner Name	NOT YET ASSIGNED
Attorney Docket Number	A35040-PCT-USA-066340.0143

I hereby appoint:

 Practitioners at Customer Number

21003

OR

 Practitioner(s) named below:

Name	Registration Number

Place Customer
Number Bar Code
Label here

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the:

 Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	ANDRE BURGUETE
Signature	<i>Andre Burguete</i>
Date	7. 6. 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 Total of _____ forms are submitted.

BAKER BOTTSPlease type a plus sign (+) inside this box → **[+]****POWER OF ATTORNEY OR AUTHORIZATION OF AGENT**

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 Practitioner(s) named below:

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Name	Registration Number

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OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the:

- Applicant/Inventor.

- Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/ISB/96).

SIGNATURE of Applicant or Assignee of Record

Name	BENNO STREU		
Signature	<i>Benno Streu</i>		
Date	June 11, 2002		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

BAKER BOTTSPlease type a plus sign (+) inside this box → **[+]****POWER OF ATTORNEY OR
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I hereby appoint:

- Practitioners at Customer Number **21003** → **Place Customer Number Bar Code Label here**
- OR
- Practitioner(s) named below:

Name	Registration Number

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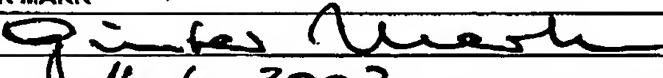
<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

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- Applicant/Inventor.

- Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	GUNTER MARK		
Signature			
Date	16.6.2002		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 *Total of _____ forms are submitted.